

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 10, 1999**

CRIM  
No.  
G023438

THE PEOPLE  
v.  
ERIC JAMES FOWLER

(Not for publication)

Opinion filed. Judgment affirmed.

Seymour, J.\*

We concur: Crosby, Acting P.J.  
Bedsworth, J.

\*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 11, 1999**

No minutes for this date.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 12, 1999**

No minutes for this date

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 13, 1999**

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G021872	JOSE MANUEL LOPEZ	

Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Rylaarsdam, Acting P.J.  
Seymour, J.\*

\*Judgment of the Orange County Superior court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 14, 1999**

No minutes for this date.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 17, 1999**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G023205	MICHAEL S.

Merits. Cause called. Megan A. Richmond argues for appellant. Scott Taylor, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G021910	GREGORY JASON CHANDLER and CHRIS SCOTT

Merits. Cause called. Mark A. Hart argues for appellant, Gregory Chandler. Dennis O'Connell argues for appellant, Chris Scott. Craig Nelson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G023133	JAMES CHOMER

Merits. Cause called. Richard Schwartzberg argues for appellant. William Wood, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G022331	MICHAEL ASECIO

Merits. Cause called. Betty A. Haight argues for appellant. Lilia Garcia, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 17, 1999 (Cont'd)**

CRIM	THE PEOPLE
No.	v.
G023032	CHRISTOPHER GUGGENMOS

Merits. Cause called. Richard L. Schwartzberg argues for appellant. Garrett Beaumont, Deputy Attorney General argues for respondent. Respondent to submit a supplemental reporter's transcript no later than June 18, 1999. If there is a problem with obtaining the reporter's transcript, the court will issue an order for preparation of the transcript. Cause to be submitted on June 18, 1999.

CRIM	THE PEOPLE
No.	v.
G022701	DARREL WAYNE LEWIS

Merits. Cause called. James Mulgrew, Deputy District Attorney argues for appellant. Denise Gragg, Deputy Public Defender argues for respondent. Cause submitted.

Court declared a recess.

Court reconvened at 1:30 p.m.. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, Presiding Justice, Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G022179	JOSE LUIS DURAN

Merits. Cause called. J. Peter Axelrod argues for appellant. Randall Einhorn, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 17, 1999 (Cont'd)**

CRIM THE PEOPLE

No. v.

G020707 MARK AUBREY SCHUSTER  
(Consolidated with G022594 and G024123)

Merits. Cause called. J. R. McGrath argues for appellant. Elizabeth Voorhies argues for respondent. Cause submitted.

CRIM THE PEOPLE

No. v.

G022582 JOSEPH DENNIS CAVALIER

Merits. Cause called. Jeffrey H. Friedman argues for appellant. Angela Rosenau, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE

No. v.

G021398 THOMAS RUFINO TONGPALAN  
(Consolidated with G024621)

Merits. Cause called. Roger S. Hanson argues for appellant. Vincent Rabago, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE

No. v.

G022609 CESAR NOLASCO

Merits. Cause called. Tamara P. Holland argues for appellant. David Delgado-Rucci, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 18, 1999**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P.J., and Bedsworth, J., and Scoville, J.\* J. McElroy, Deputy Clerk attending.

CIVIL           LEO A. FITZSIMON  
No.             v.  
G020125       GOOD, WILDMAN, HEGNESS & WALLEY

Merits. Cause called. Steven W. Winton argues for appellant. David J. O'Keefe argues for respondent. Cause submitted.

CIVIL           ANGELINA HUERTA  
No.             v.  
G020751       McGAW, INC.

Merits. Cause called. Edward L. Solomon argues for appellant. David J. McLean argues for respondent. Cause submitted.

Court declared a recess at 10:21 a.m..

Court reconvened at 10:29 a.m. Panel members are Sills, P.J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

CIVIL           KWANT-WEI HAN  
No.             v.  
G020666       ST. JOSEPH HOSPITAL

Merits. Cause called. No appearance by appellant or appellant's counsel. Patricia Schidmore present for respondent. The Clerk's office telephoned the office of appellant's counsel. The office represented that Mr. Han obtained a substitution of attorney substituting himself in pro per on May 17, 1999, at 4:30 p.m. and that he was planning on arguing on his own behalf. Cause called at 10:30 a.m. No appearance by appellant or appellant's counsel. Patricia Schidmore present but presented no argument. Cause submitted.

**\*\*Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.**

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 18, 1999 (Cont'd)**

CIVIL            LAWRENCE GILBERT  
No.                v.  
G018603        JANET GILBERT

Merits. Cause called. Brian G. Saylin argues for appellant. Marjorie G. Fuller argues for respondent. Cause submitted.

CIVIL            PAULA TARASZKIEWICZ  
No.                v.  
G020729        PENNY LOETTERLE

Merits. Cause called. Jeffrey Wilens argues for appellant. Everett Skillman argues for respondent. Cause submitted.

CIVIL            PORTOLA HILLS COMMUNITY ASSOCIATION  
No.                v.  
G020054        KONSTANTINOS MELAHOURES

Merits. Cause called. Sheila Patterson argues for appellant. C. Mark Hopkins argues for respondent. Appellant and Respondent may file a supplemental letter brief no later than May 28, 1999, on the fourteen additional cites that respondent's counsel referred to at argument. Cause to be submitted on May 28, 1999.

CIVIL            GEORGE McCALL  
No.                v.  
G024030        PACIFICARE OF CALIFORNIA, INC.

Merits. Cause called. Carol S. Jiminez argues for appellant. Keith Weaver argues for respondent, Pacificare. Cary S. Samuels argues for respondent, Greater Newport Physicians. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 18, 1999 (Cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

CIVIL           HILDEGARD HELMBRECHT  
No.             v.  
G019060       DENTAL IMPLANT CENTER

Merits. Cause called. Richard L. Keller argues for appellant. Lisa Perrochet argues for respondent. Cause submitted.

CIVIL           PAULA A. MULLENEAUX  
No.             v.  
G019026       ROBERT E. J. MORRIS

Merits. Cause called. James E. Marino argues for appellant. Douglas C. Miller argues for respondent. Cause submitted.

CIVIL           DAVID HAPROFF  
No             v.  
G020427       GENERAL MOTORS CORPORATION

Merits. Cause called. David B. Dimitruk argues for appellant. Adryane R. Omens argues for respondent, General Motors. Robert N. Dobbins argues for respondent, Gary Gray. Cause submitted.

CIVIL           LLOYD GAUNTT  
No.             v.  
G020297       MERRICK OKAMOTO

Merits. Cause called. Samuel Kornhauser argues for appellant. Ben Suter argues for respondent, Merrick Okamoto. John D. Younesi argues for respondent, Hi Tech Pharmacal. Paul M. Smith argues for respondent, Northstar Health Services. Appellant may file a supplemental letter brief no later than 5:00 p.m. on May 28, 1999, addressing the two citations introduced by respondent at oral argument. Cause to be submitted on May 28, 1999.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 18, 1999 (Cont'd)**

CIVIL	DANA HUNTER
No.	v.
G019288	CITY OF YORBA LINDA

Merits. Cause called. S. Daniel Harbottle argues for appellant. Frank C. Rothrock argues for respondent. Cause submitted.

CIVIL                PAUL K. DUFFY  
No.                  v.  
G020950         SUSAN KRUEGEL

Merits. Cause called. Appellant, Paul K. Duffy argues on his own behalf. John A. Duncan argues for appellant. Cause submitted.

Court declared a recess.

CIVIL                      MICHAEL A.                      (Not for publication)  
No.                        v.  
G024738               THE SUPERIOR COURT OF ORANGE COUNTY;  
ORANGE COUNTY SOCIAL SERVICES AGENCY et al.

Opinion filed. Writ denied.

Crosby, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CIVIL No. G023555	MARK E. GREENE et al. v. LARRY ROTHMAN et al. (Consolidated with G023570)	(Not for publication)
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Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Rylaarsdam, J.  
Bedsworth, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 19, 1999**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Bedsworth, J., and Rylaarsdam, J. J McElroy, Deputy Clerk attending.

CIVIL            MARIANA C.  
No.                v.  
G024588        ORANGE COUNTY SUPERIOR COURT;  
                     SOCIAL SERVICES AGENCY

Merits. Cause called. Paul DeQuattro, Deputy Public Defender argues for petitioner. Amy Morgan, Deputy County Counsel argues for Social Services Agency. Craig Arthur argues for the minor. Cause submitted.

CIVIL            MELISSA WILLIAMS  
No.                v.  
G024467        W.C.A.B.; CITY OF PISMO BEACH

Merits. Cause called. Lawrence Silver argues for appellant. Merle Rabine argues for Amicus Curiae. Bruce Sutherland argues for respondent. Cause submitted.

CIVIL            ERIC JOHNSTON  
No.                v.  
G019117        ROBERT MARTIN

Merits. Cause called. Lisa Bloom argues for appellant. James H. Goudge argues for respondent, Betty Martin. James A. Testa argues for respondent, Frank Martin. Cause submitted.

CIVIL            SOCIAL SERVICES AGENCY  
No.                v.  
G024243        KIM W.

Merits. Scott A. Smith argues for appellant, mother. John O'Brien argues for the appellant, father. Mark R. Howe, Deputy County Counsel argues for Social Services Agency. Craig Arthur argues for the minor. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 19, 1999 (Cont'd)**

Court declared a recess

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

CIVIL	SOCIAL SERVICES AGENCY
No.	v.
G023976	MICHELLE R.

Merits. Cause called. Richard Pfeiffer argues for appellant. Amy Morgan, Deputy County Counsel argues for Social Services Agency. Craig Arthur argues for the minor. Cause submitted.

CIVIL	SOCIAL SERVICES AGENCY
No.	v.
G024057	KIMBERLY K.

Merits. Cause called. Ronni Keller argues for appellant, Randall C. Janette F. Cochran argues for appellant, Kimberly K. Ward Brady, Deputy County Counsel argues for Social Services Agency. Craig Arthur argues for the minor. Joel Garson argues for the foster parents. Cause submitted.

CIVIL	MIGUEL V.
No.	v.
G024940	ORANGE COUNTY SUPERIOR COURT; SOCIAL SERVICES AGENCY

Merits. Cause called. Paul DeQuattro, Deputy Public Defender argues for petitioner. Jim Persinger, Deputy County Counsel argues for Social Services Agency. Craig Arthur argues for the minor. Cause submitted.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 19, 1999 (Cont'd)**

CIVIL            SOCIAL SERVICES AGENCY  
No.               v.  
G024248        GUILLERMO L.

Merits. Cause called. Rich Pfeiffer argues for appellant, Guillermo L. Harry Zimmerman argues for appellant, Gregoria L. James L. Turner, Deputy County Counsel argues for Social Services Agency. Craig Arthur argues for the minor. Cause submitted.

CIVIL            URBAN WEST COMMUNITIES, INC.  
No.               v.  
G019729        UNITED STATES FIRE INSURANCE COMPANY

Merits. Cause called. Robert D. Dennison argues for appellant. Gene M. Witkin argues for respondent. Cause submitted.

Court declared a recess.

CRIM            In re AMEER S. BILAL on Habeas Corpus        (Not for publication  
G025051

Opinion filed. Writ issued.

Rylaarsdam, Acting P.J.

We concur: Bedsworth, J.  
                 Seymour, J.\*

CIVIL            LYDIA FLAHIVE                                        (Certified for partial publication)  
No.               v.  
G022514        CITY OF DANA POINT et al.

Opinion filed. Judgment affirmed.

Seymour, J.\*

We concur: Sills, P.J.  
                 Rylaarsdam, J.

\*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 19, 1999 (Cont'd)**

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G021900	JOSE FRANCISCO LEON	

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Sonenshine, J.\*  
                  Scoville, J.\*\*

CIVIL	REDEVELOPMENT AGENCY OF THE CITY OF PERRIS	(Not for publication)
No.	v.	
G020495	KOREA FIRST BANK, ORANGE COUNTY AGENCY	

Opinion filed. Judgment reversed and remanded.

Seymour, J.\*\*\*

We concur: Sills, P.J.  
                  Rylaarsdam, J.

\*Retired Associate Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

\*\*Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

\*\*\*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.



**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 20, 1999**

Court reconvened at 1:00 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. David G. Sills, Presiding. J. McElroy, Deputy Clerk attending.

CIVIL	CHRISTINA B. GRUDZINSKI
No.	v.
G023336	UNIVERSITY OF CALIFORNIA, IRVINE MEDICAL

**OSC re Indigent Status of Appellant Christina B. Grudzinski**

Cause called. Appellant Christina Grudzinski present with counsel Robert M. Dato. Respondent's counsel, E. Joseph Connaughton present in court. Respondent's counsel excused From the courtroom for the evidentiary port of the hearing. Christina B. Grudzinski was sworn and testified. At the conclusion of the evidentiary portion of this hearing, the bailiff was requested to bring respondent's counsel into the courtroom. the bailiff was unable to bring respondent's counsel into the courtroom as he had left the building during the evidentiary hearing. Appellant's counsel submitted to the court a letter and was directed after court recessed to submit to the clerk appellant's current pay stubs. All stay orders to remain in full force and effect pending further order of this court. Cause taken under submission. Appellant submitted copies of current pay stubs.

Court declared a recess.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G022725	STEPHEN PATRICK FRIZE	

Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.  
Crosby, J.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G022213	JAIME LUIS CASTILLO	

Opinion filed. Judgment affirmed in part and reversed in part.

Rylaarsdam, J.

We concur: Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 21, 1999**

CIVIL                 JIM HILDEBRANDT  
No.                    v.  
G023581          NEWPORT SKI COMPANY

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G023370	JOHN MARKS	

Crosby, J.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G023041	TREVOR ANTHONY JOHNSON	

Bedsworth, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 21, 1999 (Cont'd)**

CRIM No. G022710	THE PEOPLE v. CHRISTY VIOLA LARSON	(Not for publication)
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Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CRIM No. G020820	THE PEOPLE v. FREDERICK ROBERT CASPERSEN	(Not for publication)
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Opinion filed. Judgment affirmed in part and reversed in part with directions.

Crosby, J.

We concur: Sills, P.J.  
Bedsworth, J.

CRIM No. G023098	THE PEOPLE v. RAMON LUKBAN JR.	(Not for publication)
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Crosby, J.  
Bedsworth, J.

CRIM No. G021585	THE PEOPLE v. STEPHEN CHARLES FORDE	(Not for publication)
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Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Wallin, J.  
Rylaarsdam, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 21, 1999 (Cont'd)**

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G022123	DARRYL LEO BROTHERS	

Opinion filed. Judgment affirmed.

Crosby, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G021963	JOSE LUIS PERALES	

Opinion filed. Judgment affirmed.

Crosby, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G022407	ISAAC ORTEGA	

Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G022347	JOSE GRANO GONZALES	

Opinion filed. Judgment affirmed.

Crosby, J.

We concur: Sills, P.J.  
Scoville, J.\*

\*Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
May 21, 1999 (Cont'd)**

CIVIL	JOSEPH W. FAIRFIELD	(Not for publication)
No.	v.	
G020713	JOHN THOMAS	

Opinion filed. Judgment affirmed in part and reversed in part.  
Crosby, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CIVIL	JENNEFER D.	(Not for publication)
No.	v.	
G020927	CALIFORNIA-PACIFIC ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH et al.	

Opinion filed. Judgment affirmed.  
Crosby, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CIVIL	HANSA JANI	(Not for publication)
No.	v.	
G020276	BOARD OF RETIREMENT OF THE ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM	

Opinion filed. Judgment affirmed.  
Crosby, J.

We concur: Sills, P.J.  
Rylaarsdam, J.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G024132	TIMOTHY WAYNE DERR	

Opinion filed. Judgment affirmed.  
Sills, P.J.

We concur: Crosby, J.  
Rylaarsdam, J.